

Approved  
10/10/02

**OCCUPATIONAL THERAPY AFFILIATED CREDENTIALING BOARD  
MADISON, WISCONSIN  
MINUTES  
AUGUST 8, 2002**

**PRESENT:** Judith Ficks, Linda Roos-Stutz (joined by phone at 9:40 a.m.), Cindy Erb (formerly Cindy Plamann), and William Solboe

**EXCUSED:** Kim Senglaub, (Hector Colon: needs to be confirmed before becoming a voting member)

**STAFF PRESENT:** Deanna Zychowski, Wayne Austin, Grace Schwingel, Dawn Kalies, Mike Berndt, Myra Shelton, and Pamela Haack

**GUESTS:** Lloyd Clark, Wisconsin Medical Society  
Ron Hermes, WPTA  
Teri Black, WOTA  
Linda Anderson, WOTA

**CALL TO ORDER – ROLL CALL**

Judith Ficks, Chair, called the meeting to order at 9:15 a.m. A quorum of 4 members was present.

**AGENDA**

Handouts from Senator Judith Robson, the WI Medical Society & a FAX from Kim Senglaub were added to the agenda. One case closure and an application review were added to the agenda to be discussed.

**MOTION:** Cindy Erb moved, seconded by William Solboe, to approve the agenda as amended. Motion carried unanimously.

**SECRETARY OSCAR HERRERA**

Secretary Herrera greeted the board and addressed the issue of rules the Board is currently considering and discussed the Department's budget for the next two years indicating he would like to receive input from board members on items they would like to see included in the budget. Board members should let Deanna Zychowski know of any ideas they have relating to the budget for the Department to consider before sending its budget to DOA. Secretary Herrera indicated that 15 Boards were represented at a Department budget meeting held on August 7, 2002.

## **APPROVAL OF MINUTES OF MAY 2, 2002**

**MOTION:** Cindy Erb moved, seconded by William Solboe, to approve the minutes of May 2, 2002, as distributed. Motion carried unanimously.

### **CE PROGRAM PLANNING – BARBARA SHOWERS**

Barb Showers talked with the Board about monitoring the continuing education program and discussed the process for determining compliance with the continuing education requirement. The board would like to monitor continuing education compliance by conducting random audits. If a complaint were made against a practitioner, that would also automatically initiate an audit of the individual's continuing education compliance. The issue of departmental resources for monitoring continuing education compliance was also discussed.

### **FINAL ADOPTION OF RULES RELATING TO THE PRACTICE OF OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS**

There was a lengthy discussion between board members and lobbyists from various professional organizations. Representatives from the Wisconsin Medical Society (WMS), Lloyd Clark, and Ron Hermes representing the Wisconsin Physical Therapy Association (WPTA) and Teri Black and Linda Anderson from Wisconsin Occupational Therapy Association (WOTA) addressed the Board with their concerns and suggestions about the language used in Rule 02-026.

Some of the concerns of the representatives of the professional associations are:

- language needs to be more specific to avoid negative impacts to patient safety and scope of practice by inappropriate interpretations of the current broad language used in Clearinghouse Rule 02-026.
- several items listed in Chapter 4 of the rule dealing with the practice of supervision section and the scope of practice language.
- the professional organizations are looking for clarification and more specific definitions of terms used in the rule dealing with performance skills, occupational performance areas, performance abilities, performance and orthotic devices, physical agent modalities, and electrical stimulation modalities.
- concerns about referrals for OT services, and supervision issues were also discussed.
- WPTA representatives have met with Representative Gregg Underheim to make him aware of the concerns the WPTA has with the language of this rule in its current form.
- availability of continuing education opportunities for practitioners in rural areas to meet the c.e. requirements.
- Disproportionate increases in points between Level 1 and Level 2 students.

Lobbyists for Wisconsin Physical Therapy Association (WPTA) and the Wisconsin Medical Society (WMS) organizations indicated that without significant changes to the current rule, these professional organizations will not be able to support this rule and will request both of the health committees in the legislature to oppose passage of this rule. The representatives asked the board to temporarily withdraw this rule from the committee and then sit down in the fall with the appropriate associations to work out differences between the professional groups involved. There were offers from the association representatives to help with the wording of the rule

The Board will work with the professional associations to modify the Occupational Therapy rule and will have a representative of the board, Cindy Erb, attend a meeting on August 19, 2002, at 2:00 p.m. in an effort to come to an agreement.

Another Board meeting will be scheduled for Thursday, August 22, 2002, at 9:00 a.m. to resolve this legislative issue within the 30 days allotted to the process. Executive Assistant and Legislative liaison, Myra Shelton, will contact Representative Underheim and Senator Robson regarding this rule.

#### **AOTA DOCUMENTS RELATING TO SUPERVISION AND ROLE OF OCCUPATIONAL THERAPY ASSISTANTS AND CONTINUING COMPETENCE**

This was for informational purposes only.

#### **NBCOT INFORMATIONAL BROCHURES**

This was for informational purposes only.

#### **NBCOT'S "ON DEMAND" CERTIFICATION EXAMS BEGIN IN 2003**

This was for informational purposes only.

#### **CLOSED SESSION**

**MOTION:** Linda Roos-Stutz moved, seconded by Cindy Erb, to adjourn to closed session pursuant to Wisconsin State Statutes 19.85(1)(a)(b)(f) and (g) –to discuss administrative warnings, a case closure and review of an application and consulting with legal counsel. Motion carried by roll call vote: Judith Ficks-yes, Cindy Erb-yes, Linda Roos-Stutz-yes, and William Solboe-yes.

Open Session recessed at 10:45 a.m.

#### **RECONVENE INTO OPEN SESSION**

**MOTION:** William Solboe moved, seconded by Cindy Erb, to reconvene into open session at 11:10 a.m. Motion carried unanimously.

## **VOTING ON ITEMS CONSIDERED IN CLOSED SESSION**

### **CASE CLOSINGS**

**MOTION:** Cindy Erb moved, seconded by William Solboe, to close case 01 OTB 004 for no violation. Linda Roos-Stutz was case advisor. Motion carried unanimously.

### **ADMINISTRATIVE WARNINGS**

**MOTION:** Cindy (Plamann) Erb moved, seconded by William Solboe, to issue an administrative warning in the matter concerning Karen Milchuck, 02 OTB. Cindy Erb was case advisor. Motion carried unanimously.

**MOTION:** William Solboe moved, seconded by Cindy Erb, to issue an administrative warning in the matter concerning Sarah Landreman, 02 OTB 007. Linda Roos-Stutz was case advisor. Motion carried unanimously.

**MOTION:** William Solboe moved, seconded by Cindy Erb, to issue an administrative warning in the matter concerning Jennifer Kahle, 02 OTB 008. Kim Senglaub was case advisor. Motion carried unanimously.

### **APPLICATION REVIEW**

The Board considered the application of Gregory M. Bracker and recommended that Mr. Bracker make a personal appearance before the Board to provide further information.

### **OTHER BOARD BUSINESS**

Judy Ficks, Chair, read a message sent by Kim Senglaub requesting that the Board submit materials to be included in the WOTA newsletter and the Department's Regulatory Digest reminding employers to ensure that all new hires, both temporary and permanent, are properly licensed and to check to see that staff have renewed their licenses and have licenses that are currently valid. Management therapists should also contact all fieldwork coordinators to remind them to tell students to make sure they have a temporary license and that administrative warnings will be issued against therapists who fail to do so.

William Solboe will not be able to attend the meeting that was scheduled for August 22, 2002. William Solboe sent the Governor's Office his resignation effective as of the end of August 20002.

### **ADJOURN**

**MOTION:** Cindy Erb moved, seconded by William Solboe, to adjourn the meeting at 11:20 a.m. Motion carried unanimously.

**Next meeting: Thursday, October 10, 2002**